



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TDD #: (608) 264-8777

Jim Doyle, Governor
Jack L. Fischer, A.I.A., Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 54
Comm #: 53713-1287-12-A
BRRTS #: 03-13-120602
Site Name: Wall Oil Co
Site Address: 1312 Culmen St, Madison, 53713
Site Manager: Wendell Wojner
Address: 3911 Fish Hatchery Rd
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3297
e-mail: wendell.wojner@wisconsin.gov
Bid Manager: Jon Heberer
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-5405
e-mail: Jon.Heberer@Wisconsin.Gov

| | |
|---|-----------------------------------|
| Bid-Start Date: | April 07, 2008 |
| Questions must be received by (See Section 2 (B)): | April 21, 2008 4:00 PM |
| Responses will be posted by (See Section 2 (B)): | May 09, 2008 |
| Bid-End Date and Time: | May 23, 2008 4:00 PM |

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available on the Commerce PECFA Public Bidding website. If pertinent information is not available, please contact the Site Manager.

SECTION 2 – Site-Specific Bid Requirements

General Comments

Contamination was observed in the spring of 1997. Subsequently the contamination was confirmed when the eight USTs were removed in September 1997. The seven 10,000 gallon and one 1000 gallon and one 2000 gallon tanks had been at the site since the 1970's and had contained gasoline and fuel oil and kerosene. The site was originally for bulk storage but later there were sales of petroleum at pump islands.

Samples were taken at the time of the tank excavation. Sixteen monitoring wells and one piezometer were placed at the site in October 1997. A cost to closure cap was requested from Commerce with the intent to put more wells in, recover free product and prepare for RNA Closure. The Free Product pneumatic system was started in 10/99 and operated to 12/99. It was started up again in 3/00 and operated through 12/00. Four more wells were installed MW-17, MW-18, PZ-2 and PZ-3 in 9/99. Approximately 3000 tons of contaminated soil above the water table, 9000 tons of saturated contaminated soil and 6000 gallons of free product were estimated for the site. A more recent estimate of approximately 4150 gallons of free product was provided for the site.

The soils were stated to be 6-8 feet silty sand, 15-20 feet fine to medium grained sand with sandstone at 18-30 feet bgs. There may be a unit of sandy loam soil from 6 feet to bedrock beneath the former tank area. Groundwater was estimated to be at 9-12 feet bgs. and flow is towards the North. The flow in the bedrock is estimated to be to the east.

The site was presented in Round 31 of the PECFA Public Bid Process. About 458 tons of contaminated soil was removed from the site in 2005. Confirmation soil samples were performed at the sidewalls and floor of the excavation. Four rounds of groundwater monitoring were collected from the network of 18 monitoring wells and 3 piezometers. Increasing trends of contamination in certain monitoring wells and the presence of free product in monitoring wells MW1 and MW9 limited the closure prospects for the site.

A more complete description of the site investigation and remediation history is contained in the file information. Relevant information from the case file may be obtained on the Commerce PECFA Public Bidding website. The entire case file may be reviewed at the WDNR South Central Region office in Fitchburg, WI.

Minimum Remedial Requirements

Groundwater monitoring shall be conducted for two consecutive quarters and shall follow the protocol of the following table:

| Wells | Sample First Quarter | Sample Second Quarter |
|--|------------------------------|------------------------------|
| MW-1, MW-3*, MW-4, MW-5 [#] , MW-8 [#] , MW-11, MW-12, MW-13, MW-14, MW-15, MW-16, MW-17, MW-18, PZ-1, PZ-2* | VOCs* or PVOCs + Naphthalene | VOCs* or PVOCs + Naphthalene |

| | | |
|----------------------------|------------------------|--|
| MW-2, MW-6, MW-10 and PZ-3 | PVOCs + Naphthalene | |
|----------------------------|------------------------|--|

*VOCs should be sampled for monitoring wells if there are previously documented enforcement standard exceedances in those monitoring wells. Analytical cost for VOCs will not be PECFA eligible. Bidders should submit costs for PVOC analysis for the appointed wells to be sampled.

Monitoring wells MW-5 and MW-8 may be lost but a search should be performed and sampling should be undertaken if possible.

Groundwater samples shall be collected from all the designated monitoring wells, including wells with free product present. Groundwater elevations and checking for the presence of free product shall be completed at all site wells, including those not being analytically sampled.

Additional sampling is required for LNAPL Assessment. Collect and submit one sample of free product (LNAPL) for quantitative fluid analysis. Conduct laboratory analysis for density (gm/cc), viscosity (cp), and surface and interfacial tensions (dyne/cm) for air/water, air/LNAPL, and LNAPL/water. Results should be provided at or near groundwater temperatures. Additional shipping and sample preparation/disposal costs may apply.

In addition, Submit one soil sample for quantitative lab sieve and hydrometer testing from each of two borings placed in an area between monitoring well MW-1 and the property line to the north. The soil samples should be collected from the water table mixing zone. The samples should be analyzed for grain size (sieve) analysis (wet or dry) and hydrometer testing. If soil types vary on the site in the LNAPL plume, samples should be collected from each stratigraphic unit. Soil samples may be collected within the plume or from the same stratigraphic unit beyond the LNAPL plume.

All contaminated material generated at this site as part of the bid scope of work must be properly stored and disposed/treated in accordance with State regulations.

A final report shall be submitted to include tabulated results for all historical groundwater analytical results collected during the entire site investigation and all historical groundwater and free product elevation/removal data. Groundwater flow direction shall also be calculated and presented on site plans for groundwater sampling events. Site plans depicting the extent of residual soil and groundwater contamination shall also be submitted. The final report shall be submitted to Commerce and Wisconsin DNR within 30 calendar days of receiving the laboratory analytical data for that reporting period.

Submit a complete closure request including, but not limited to a general closure narrative, the closure justification/calculations for remaining soil contamination, the closure justification/analysis for the groundwater contamination, GIS package, etc. Bidders should also anticipate costs for follow-up correspondence concerning the adequacy/completeness of the closure request/analysis, if necessary.

Bidders must include on the bid response, a per gallon unit disposal cost (commodity cost only), to be used to adjust the cap for disposal of free product.

Contingency cost for closure costs under this bid shall include abandonment of all the groundwater monitoring wells.

The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Potential (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Wall Oil Co

COMMERCE #: 53713-1287-12

BRRTS #: 03-13-120602

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

| | | |
|--------------------------|------------------------|-----------------|
| <input type="checkbox"/> | Professional Engineer | License # _____ |
| <input type="checkbox"/> | Professional Geologist | License # _____ |
| <input type="checkbox"/> | Hydrologist | License # _____ |
| <input type="checkbox"/> | Soil Scientist | License # _____ |



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Wall Oil Co

COMMERCE #: 53713-1287-12

BRRTS #: 03-13-120602

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

| | | |
|--|--|-----------|
| 1 | Groundwater Sampling, two quarters <i>Including laboratory analyses and waste disposal</i> | \$ |
| 2 | LNAPL Assessment | \$ |
| 3 | Reporting | \$ |
| 4 | Closure request costs (lump sum) <i>Including but not limited to case summary and closeout form and report, GIS Registry requirements, and appropriate notification to the public</i> | \$ |
| 5 | PECFA Claim Preparation | \$ |
| | Total Bid Amount | \$ |
| CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed) | | |
| • | Disposal of free product, per gallon | \$ |
| • | Closure-related costs (lump sum) <i>well abandonment costs</i> | \$ |
| • | Collection and Analysis of TCLP Soil Samples for Landfill Disposal | \$ |